

Department of Human Services

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March 20, 2007

Hearing held on fate of Grant children

George Hunter and Kim Kozlowski / The Detroit News

MOUNT CLEMENS -- Attorneys are in court this morning setting dates for future court proceedings as the sister of accused murderer Stephen Grant and the sister of his alleged victim, Tara Grant, duel for custody of the Grants' two young children.

A foster care worker during a pretrial hearing in Macomb County Juvenile Court said today a doctor wants the children, ages 6 and 4, to get counseling immediately.

During today's hearing, Macomb County Juvenile Court Referee Deborah Brune lifted an order limiting the Grant children's placement to Michigan.

The purpose of today's hearing was to determine whether Stephen Grant was going to fight the Department of Human Services' petition to terminate his parental rights or whether he would voluntarily relinquish them.

Stephen Grant is charged with murdering and dismembering his wife last month. She had been missing for three weeks when investigators found her remains at Stony Creek Metropark and in the Grants' garage.

Alicia Standerfer of Chillicothe, Ohio, Tara Grant's sister, has custody of the children and wants to retain that custody. But Kelly Utykanski of Sterling Heights, Stephen Grant's sister, wants custody.

Later, Utykanski said her brother did not disagree with the judge's decision lifting the order. "My brother wants the kids to go back to school and get into a normal routine as soon as possible," she said.

Utykanski said the relations between the two families were not strained. "Alicia and I have been getting along amicably. We just hope whoever gets the children will allow the other side to visit. They love the kids as much as we do."

Court employees are conducting studies of the sisters' homes, said Macomb County Assistant Prosecutor Jodi Debbrecht.

Stephen Grant, who could have appeared at today's hearings, waived his rights to do so.

Meanwhile, Macomb County Prosecutor Eric Smith said Stephen Grant's attorneys have filed a motion to stop the release of police reports about the alleged murder. A judge is expected to rule on the motion on Thursday.

A pretrial conference is scheduled for April 17 and a preliminary exam on May 17.

You can reach George Hunter at (586) 468-7396 or ghunter@detnews.com.

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This is a printer friendly version of an article from **The Detroit News**
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March 21, 2007

Grant kids to live with Ohio aunt

Authorities are still determining permanent placement; children will attend mom's funeral.

George Hunter and Kim Kozlowski / The Detroit News

MOUNT CLEMENS -- Tara Grant's sister said she will keep her niece and nephew in Michigan for their mother's funeral and until permanent custody is resolved, but a court ruling Tuesday allows her to take them out of state temporarily if she chooses.

Alicia Standerfer of Chillicothe, Ohio, has temporary custody of Stephen and Tara Grant's two young children, ages 6 and 4. Stephen Grant has been incarcerated since March 3 in the Macomb County Jail, charged with strangling and dismembering his wife.

Standerfer has cared for the children in Michigan for the past two weeks under a placement by the state Department of Human Services. At that time, the state moved to terminate Grant's parental rights. Macomb County Referee John J. Kennedy ordered the children, ages 6 and 4, to remain in Michigan.

But at a hearing in Macomb County Juvenile Court on Tuesday, Juvenile Court Referee Deborah Brune lifted the order limiting the Grant children's temporary placement to Michigan.

Standerfer said Tuesday she plans to keep them in Michigan while the state Department of Human Services decides where to place them permanently; they also will attend their mother's funeral Monday in the Upper Peninsula, where Tara Grant and Alicia Standerfer grew up.

"Our interests at first were in finding Tara," Standerfer said. "Now our focus is on what's best for the children."

No date was set for the pretrial hearing, when Grant's court-appointed attorney, Stephen Donovan, will let the court know whether Grant wants to fight the state's efforts to terminate his parental rights or plans to voluntarily relinquish them.

Grant's sister, Kelly Utykanski, said her brother had no problem with letting his children live in Ohio while the custody case plays out. "My brother wants the kids to go back to school and get into a normal routine as soon as possible," she said.

Stephen Grant, whose visitation rights were terminated after his March 3 arrest, waived his right to appear in court Monday.

He had been overwhelmed in recent weeks but is "doing a little better," Donovan said.

While both Standerfer and Utykanski are seeking permanent custody of the children, Utykanski insisted Monday the two families are not fighting about it.

"Alicia and I have been getting along amicably," Utykanski said. "We just hope whoever gets the children will allow the other side to visit. They love the kids as much as we do."

Officials from the state Department of Human Services are studying the homes of the Standerfers and the Utykanskis, to determine the best place for the children, Assistant Macomb County Prosecutor Jodi Debbrecht said. She said a doctor wants the Grant children to get psychiatric counseling. "(The doctor) would like them to see a counselor as soon as possible," she said.

Tara Grant had been missing for three weeks before investigators found her torso March 2 in the Grants' garage in Washington Township. Other body parts were found in nearby Stony Creek Metropark.

A pretrial conference for Stephen Grant's murder trial is scheduled for April 17. A preliminary examination has been set for May 17.

You can reach George Hunter at (586) 468-7396 or ghunter@detnews.com.

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Tara's children can go to Ohio

Two kids will stay for Monday's funeral; Stephen Grant's sister also wants custody

By Jameson Cook
Macomb Daily Staff Writer

The children of Stephen and Tara Grant can leave Michigan to go to Tara's sister's home in Ohio and will receive counseling.

A pretrial hearing Tuesday in Macomb Juvenile Court was part of the juvenile parental rights and custody case involving the 6-year-old daughter and 4-year-son.

Alicia Standerfer, Tara's sister, and Kelly Utykanski, Stephen's sister, are seeking custody of the children while state Department of Human Services officials are seeking to terminate Stephen Grant's parental rights.

DHS staffers are investigating the homes of both families, the Utykanskis' in Sterling Heights and the Standerfers' in Chillicothe, Ohio.

Kelly Utykanski, accompanied by her husband, Chris, said that despite the adversarial process between her and Standerfer, the two get along. They talked Tuesday.

"Alicia and I have been getting along amicably," she said. "Whoever gets the children, we're hoping the other one is given very liberal visitation."

She also said her brother indicated that he did not oppose juvenile Referee Deborah Brune lifting a ban on the children leaving Michigan to go to Ohio.

"My brother wants the kids to go back to school and get into a normal routine as soon as possible," she said.

Grant, 37, is charged with first-degree murder and mutilation of a body, accused of the Feb. 9 slaying of his 34-year-old wife at their Washington Township home. Her remains were found in Stony Creek Metropark near their home and in their garage. He reported her missing Feb. 14 and was arrested March 4 in Wilderness State Park in northern Michigan.

The children were at home and believed to be sleeping at the time of the slaying.

Standferfer, and her husband, Erik, said they planned to take the children to the Escanaba area, where Tara's funeral is scheduled for Monday, following visitation Sunday.

She said she and the children are staying in Michigan, but "there are still things that need to be done in Ohio for them to say 'yes' to us leaving Michigan with the children.

"The sooner we get some normalcy back to all of our lives, the better," she said.

Standferfer told a Detroit television station Tuesday that the children have been told their mother is dead but do not know the manner of her death.

She said the children are "confused" and have been "asking questions." She said she clarified "half-truths" that they have heard and repeated to her. She wants counselors to help teach her

and her husband how to answer their questions and talk to them about the situation.

The Associated Press contributed to this report

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Detroit News

March 21, 2007

Rochester: Woman is charged in death

A 30-year-old Madison Heights woman has been charged in the killing of a 9-week-old Rochester baby, Rochester police said Tuesday. Kelly Marie Waller was charged with felony murder and first-degree child abuse for the death of infant Ajay Bose, who died of head trauma in July. Waller's preliminary exam is scheduled May 10 at the District Court in Rochester Hills.

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Article published Mar 20, 2007

Nanny charged in July death of Rochester baby

By Annette Kingsbury
Staff Writer

Eight months after an infant boy was found unresponsive in his Rochester home, a nanny has been charged in the child's death.

On March 13, 30-year-old Kelly Marie Waller of Madison Heights was charged with homicide, manslaughter and first-degree child abuse in the death of 9-month-old Ajay Bose.

Judge Lisa Asadoorian of 52-3 District Court set bond at \$100,000. Waller has since been released on a tether and was ordered to have no contact with children. A preliminary examination on the charges is scheduled for May 10 before Judge Nancy Tolwin Carniak.

Rochester police and fire personnel were called to the family's home at 1:20 a.m. July 14 after Waller, the family's night nanny, found the baby unresponsive. The baby was taken to Beaumont Hospital in Royal Oak, where bleeding in the brain consistent with a shaken baby was diagnosed. The child died July 31.

In the intervening months, Rochester police investigators have been compiling medical records and waiting for a ruling by the Oakland County Medical Examiner.

The department issued a statement Aug. 14, saying the cause of death was cranial cerebral trauma and that the case was being actively investigated as a homicide.

"There's a lot of very technical medical evidence," Assistant Oakland County Prosecutor Sara Pope-Starnes said Monday when asked why it took so long to bring charges. "The medical examiner was very thorough in his review of the case and the medical records."

She declined to discuss any more details.

"After the preliminary (exam), we'll be able to discuss more of the details of the case," she said.

Homicide is punishable by life in prison without parole. Pope-Starnes said the manslaughter charge, which carries a maximum 15-year sentence, was filed as an alternative to homicide. The child abuse charge is also a 15-year felony.



Mother gets two years in baby girl's drowning

Woman had similar incident with first daughter, pregnant again

By Jameson Cook
Macomb Daily Staff Writer

A 26-year-old Warren woman was sentenced Tuesday to two years in prison for allowing her baby to nearly drown in her presence and later dying.

Angela M. McClellan, who is pregnant again and appeared in court in jail garb, received the 2- to 15-year penalty from Macomb Circuit Judge James Biernat after she pleaded no contest to involuntary manslaughter.

McClellan's 4-month-old daughter, Victoria, died Dec. 21, 2005, eight days after McClellan said she found her submerged in a few inches of water in a bathtub.

"She has shown no remorse or guilt," said McClellan's mother, who has custody of McClellan's other daughter. The mother asked that her name not be used to protect the surviving child from embarrassment. "I want to believe that she understands that her actions took her daughter's life, and has left her other daughter heartbroken."

A similar incident involving McClellan's 7-year-old daughter occurred when she was a baby. The girl survived. Custody at that time was taken over by McClellan's mother. McClellan said she was suffering from post-partum depression.

"When I heard about the bathtub, I said, 'Oh my God, she's done it again,'" the mother said.

Biernat sentenced McClellan to the low end of sentencing guidelines of 19 months to 28 months, but followed the probation department's recommendation of a two-year minimum.

McClellan's defense attorney, Earl Adamaszek, argued for lower guidelines. But Biernat agreed with the recommended guidelines partly because of the "severe psychological injury" suffered by the 7-year-old girl.

The 7-year-old feels guilt that she could have been at the home to prevent the incident and has been diagnosed with post-traumatic stress disorder, said McClellan's mother.

Linda Case, paternal grandmother of Victoria, said that although she can't know whether McClellan's actions were deliberate, "She should never be allowed to be alone with a baby."

McClellan had called Case when she found her baby submerged. Case said when she arrived she saw the "coldest scene I've ever seen in my life." The naked baby was on the cold floor with no blanket, and McClellan was sitting on a couch 6 feet away.

McClellan defended herself before the judge, denying any wrongdoing and saying she feels remorse.

"I never meant to hurt my baby, I loved her," she said. "I was excited to be a mom. It's a mistake I'll live with forever."

She said her mother and boyfriend's mother haven't seen her "crying in my bedroom for hours."

McClellan for more than a year had been free from jail as her mother posted a \$2,500 bond. But she was returned to the Macomb County Jail after her mother withdrew the money because she discovered her current pregnancy and wanted to protect the unborn child. Officials learned that McClellan had been trying to hide her pregnancy so the child would not be taken from her.

Officials said the baby will be born while McClellan is in custody, then will be handed over to state Department of Human Services officials.

Thomas Cadreau, McClelland's boyfriend and father of Victoria and the unborn male, said he plans to seek custody of the baby.

"I'm going to do everything within my power" to gain custody, he said. "There's enough people out there who don't want their kids. I don't see why the state of Michigan will take him away from his biological father."

Cadreau, who was living with McClellan, said he was not home at the time and believes McClellan is only guilty of making a "horrible, horrible mistake."

"I don't think it was any attempt to harm her daughter," he said.

Cadreau said McClellan has shown remorse. "I'm the only one who has lived with her," he said.

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Newborn found dead at motel

Police seek mom; baby left outside

March 21, 2007

BY STAN DONALDSON and SHABINA S. KHATRI

FREE PRESS STAFF WRITERS

The Washtenaw County Sheriff's Office is investigating the death of an abandoned newborn boy who was discovered behind a motel in Ypsilanti Township on Monday.

Cmdr. Dave Egeler said police were called at 6:50 p.m. by a motel manager who found the infant while walking his dog behind the Manor Motel in the 2800 block of East Michigan Avenue. He said the child was found wrapped in packaging under a tree.

A medical examiner said the baby was alive at the time of birth, but she could not determine the cause of death during an autopsy Tuesday, Egeler said.

Egeler added that the infant could not have been behind the motel for more than a week and that a piece of the umbilical cord was still attached to the child.

"This is a sad situation. We're still looking for a mother, probably a young mother who was pregnant, who within the last week isn't, and doesn't have a baby around to show for it," Egeler said.

"This a woman who has been through probably a very difficult decision and we want to make sure she gets the help she needs."

Under an infant safe haven law in Michigan, a mother can leave a newborn infant under 72 hours old at a hospital, fire department or police station. A mother who does this would be immune from prosecution.

Anyone with information is asked to contact the Washtenaw County Sheriff's Office at 734-973-7711 or call Crime Stoppers at 800-773-2587.

Contact **SHABINA S. KHATRI** at 586-469-8087 or skhatri@freepress.com.

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March 21, 2007

Ypsilanti Township

Motel worker discovers dead baby

Darren A. Nichols / The Detroit News

YPSILANTI TOWNSHIP -- Motel manager Michael Dziak had just taken the dogs for a walk when he found something that made him cringe -- a newborn with part of its face chewed off.

The chilling discovery came Monday night after one of his dogs alerted him to what he thought was a garbage bag near the fence line in the backyard of the Motel Manor.

It was a newborn boy. Kneeling, Dziak pulled away a blanket and saw what he believes to be animal bites on the child's neck so severe that part of the face was gone.

"I thought it might have been an animal that had been tortured. At first, I thought it was some sort of joke (that) someone planted something out there to make it look like a baby to get a reaction," said Dziak, who has worked in the family-owned motel for about 12 years.

"It took a few seconds to realize what was going on. It didn't register as a child until I saw the foot."

A Tuesday autopsy concluded the infant was alive at birth. His umbilical cord was attached, and he had been alive for less than a week, said Washtenaw County Sheriff's Cmdr. Dave Egler.

"I didn't get much sleep," Dziak said Tuesday. "How you can live with yourself after this? That has to be an amazing strain on somebody."

Reacting to similar incidents, Michigan lawmakers passed the Safe Delivery of Newborns Law. It went into effect in 2001 and allows the anonymous surrender of infants at hospitals and police or fire stations.

Detectives on Tuesday pleaded for the mother to come forward.

"She's going to need some help, potentially medical help," Egler said. "Other family members who are aware of who this person is really need to reach out to us."

You can reach Darren A. Nichols at (734) 462-2190 or dnichols@detnews.com.

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THE ANN ARBOR NEWS

Baby found dead was alive at birth

Authorities don't know how long he lived

Wednesday, March 21, 2007

BY AMALIE NASH

News Staff Reporter

The baby boy was alive when he was born, but authorities don't know for how long.

By the time his body was found, the newborn - his umbilical cord still attached - had likely been dead for several days, abandoned behind an Ypsilanti Township motel.

Mike Dziak, the manager of Motel Manor on East Michigan Avenue, assumed the bundle was trash left under the evergreen tree next to a fence. He had taken his mother's dogs out Monday evening when one dog noticed the bundle that appeared to be wrapped in a plastic grocery bag.

Dziak took the dogs back in and went to retrieve the bag, but says he quickly realized something was inside when he looked closer. It appeared to be a dead animal, he thought, as he used a shovel to pull back the clothing covering the body.

Then he saw the infant's foot.

"I was kneeling by that time and saw a hand, and it started to register," Dziak said. "At first, I thought someone had to be playing a joke. I had never seen anything like that."

Dziak ran inside and called 911, attempting to shield the news from his mother. She heard him tell dispatchers a baby's body appeared to be in the backyard, and she waited outside with him as police began to arrive.

Washtenaw County Sheriff's Cmdr. Dave Egeler said an autopsy Tuesday confirmed the baby was alive when he was born, but the medical examiner could not determine how long he lived. He had been dead no more than a week, and likely a matter of a few days, Egeler said. There was no clear cause of death.

The newborn was wrapped in a white Hanes T-shirt and a medium black Southpole zip-up hooded sweatshirt. The baby was white, Egeler said.

Police did not release information about the bag near his body. Egeler said police are speaking with neighbors and guests who stayed at the motel in an attempt to locate the mother.

Dziak, 37, said business at the motel had been light recently - with two regular guests and a single man staying there this week. He said none of the linens in the rooms had been disturbed, there was no evidence of a delivery in a room and he had not seen any pregnant women near the 12-room motel recently.

"I don't know if someone leaned over the fence or tossed it there, but it was left in the open," Dziak said. "The head was exposed, and it was wrapped up sloppily like someone left it very quickly."

Dziak said he was last in the yard about a week ago with the dogs, and his father said he went out there a few days ago and didn't notice the bundle. Dziak said he's glad he found the infant instead of his mother or a female cleaning employee.

It was the second time Dziak has come upon a body on the motel property within the past year. Dziak found the 63-year-old maintenance employee slain inside his trailer on the motel property last April.

Charles Lau's niece and her boyfriend were arrested in that slaying and are awaiting trial on murder charges. Police said they robbed Lau for money to buy drugs.

Dziak said finding Lau was difficult because he was a close friend of the family. Discovering the infant reminded him of that loss, he said.

Like police, Dziak said that he is hoping the mother of the infant or someone else will come forward with information.

"Someone has to have an awful lot of weight on their shoulders," Dziak said.

Anyone with information is asked to call the Sheriff's Department at 734-971-8400 or the tip line at 973-7711.

Amalie Nash can be reached at anash@annarbornews.com or 734-994-6832.

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Families tell child sex offender of pain

ARGENTINE TOWNSHIP

THE FLINT JOURNAL FIRST EDITION

Wednesday, March 21, 2007

By Bernie Hillman

bhillman@fentonpress.com • 810.766.6378

ARGENTINE TWP. - Admitted child sex offender Douglas A. White hung his head in court.

Through tears and anger, relatives of some of the five Genesee County girls he was charged with molesting told White at his sentencing Monday that he stole the girls' childhood and burdened them with guilt, as reported on The Fenton Press' Web site, www.mlive.com/fenton.

All names are withheld to protect the children's identities.

One mother read a letter from her daughter to White:

"I want him to go to jail for 30 years. He made my life horrible," the 9-year-old wrote.

The girl told of having stomachaches from the stress and fear.

"(She) will carry this for life," her mother said.

Genesee Circuit Judge Judith A. Fullerton sentenced White to 10-25 years in prison.

White, 54, of Argentine Township was charged in January with 10 counts - one count of first-degree criminal sexual conduct and nine counts of second-degree CSC. In a plea agreement Feb. 20, he pleaded guilty to the first-degree CSC charge, and the remaining counts were dismissed.

Argentine Township police began investigating White on

Jan. 9 after a 4-year-old victim told her parents what White had done.

Assistant County Prosecutor Jennifer McKellar said the investigation focused on two years of alleged abuse, 2005 and 2006.

Sobs could be heard from the courtroom gallery as others stood to tell of the damage White had done.

"Mr. White, hold your head up!" the grandfather of at least two of the victims ordered, but White did not move.

"What you've done to this family, sir, you will have to answer to God. Hang your head in shame! You deserve what happens to you."

He said his granddaughters have lost their innocence and trust.

"They are afraid to sit on my lap - my grandkids," he said.

When White stood before Fullerton to be sentenced, he apologized.

"They didn't cause any of this," White said. "It was me."

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Published March 21, 2007

Matt's Safe School Law advances

Committee sends bill to full House for consideration

By Susan Vela
Lansing State Journal

House Bill 4162

- Matt's Safe School Law, named after an East Lansing youth who committed suicide after a 2002 hazing incident, has been sent to the full House of Representatives.
- The Senate version remains in committee.
- The proposed legislation would require Michigan's public school districts and charter schools to adopt strict policies against bullying.

Matt's Safe School Law, named after an East Lansing youth who committed suicide after a hazing incident, will go to the full House of Representatives.

The proposed legislation will dare politicians to officially state what they're willing to do - or not do - to prevent bullying in Michigan's schools.

"We're talking about emotional costs for kids," said Kevin Epling, Matt's dad. "Having the bill passed will set us in the right direction."

The House Education Committee voted 14-7 Tuesday to send out House Bill 4162, which would require Michigan's public school districts and charter schools to adopt strict policies against bullying. The Senate version remains in committee.

Matt Epling, 14, took his life in July 2002, just before he and his parents were to discuss with police formal charges against some upperclassmen.

The older teens smeared Matt with raw eggs and syrup on his last day at MacDonald Middle School and were threatening to make his high school years miserable.

Politicians acknowledged his agony in legislation originally proposed last year. While those House and Senate bills died in committees, new legislative proposals reintroduced Matt's Safe School Law in January.

The legislation also promotes the state's anti-bullying policy model, which school districts could use to define harassment and lay out consequences and solutions that could improve today's school culture.

However, House Bill 4162 lacks some of its original mandates, such as those requiring teacher training.

On Tuesday, that was good enough reason for Rep. Paul Opsommer, R-DeWitt, to vote against letting the bill advance to the full House.

"If you're going to ask them to do something, we should provide (the) education," said Opsommer, a former secondary government and math teacher. "This does not protect children. This is a gimmick."

This is a PR stunt."

Epling also wished some of the original teaching mandates had remained in the bill that will be reviewed by state representatives.

Without them, parent involvement will determine the impact of Matt's Safe School Law, should it become law. "That's going to be the teeth - the parents," Epling said.

Rep. Barb Byrum, D-Onondaga, is a House Education Committee member and voted to move along House Bill 4162 to the full House.

"It's important that we make sure all of our children are offered the opportunity (of) ... a safe learning environment," she said.

Contact Susan Vela at 702-4248 or svela@lsj.com.

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Michigan Report

March 20, 2007

HOUSE EDUCATION COMMITTEE APPROVES ANTI-BULLYING BILLS

The House Education Committee reported two bills, mostly along party lines Tuesday, aimed at stopping bullying and harassment in schools.

All 14 Democratic representatives on the committee voted for [HB 4091](#) and [HB 4162](#) along with [Rep. Glenn Steil Jr.](#) (R-Cascade), who voted in favor of HB 4091, which was the only Republican to vote favorably for the two measures. [Rep. Tom Pearce](#) (R-Rockford) abstained on voting for HB 4162 and wasn't there to vote on HB 4091. [Rep. Tonya Schuitemaker](#) (R-Lawton) abstained from on voting for either bill.

The bills require the Department of Education to create a model policy that prohibits bullying and harassment by students, and make that policy available to school districts. Schools must then create a policy prohibiting bullying and harassment and have a public hearing on it. The policy must then be submitted to the DOE. The policies must include things such as a definition of harassment and bullying, age-appropriate punishment and policies for investigating allegations of bullying or harassment.

[Rep. Pam Byrnes](#) (D-Chelsea), who introduced HB 4162, said the legislation helps school boards know that preventing bullying is a priority.

"We need to be drawing attention to the fact that many people are suffering from bullying," Ms. Byrnes said. "In the past it was sort of passed off as kids being kids, but bullying can leave psychological scars that may be with the child for a lifetime."

[Rep. Aldo Vagnozzi](#) (D-Farmington Hills), who introduced HB 4091, said he hopes the legislation will help students and reduce the amount of children who commit suicide because they are being bullied.

"I hope students can turn to their teachers or principal and get some action when they are being bullied," Mr. Vagnozzi said.

[Rep. Dave Hildenbrand](#) (R-Lowell) said he voted no on the bills because although he had sympathy for those struggling with bullying, creating policies on bullying should be left up to the individual school districts.

"There are very capable school boards who can manage this issue very well," Mr. Hildenbrand said.

Mr. Vagnozzi said school districts will have the state's model policy as an example, but will be able to create their own.

"They'll have the say in this," Mr. Vagnozzi said.

Rep. Jack Hoogendyk (R-Texas Township) voted no because of language in HB 4162 that says bullying that is “perceived to be motivated by animus or by an actual or perceived characteristic, such as height, weight, religion, race, color, ancestry, national origin, age, sex, sexual orientation or gender identity or expression or socioeconomic status or mental, physical, or sensory disability or impairment” is prohibited.

Mr. Hoogendyk said that although he supports preventing bullying, he believes listing characteristics such as gender identity creates more protected classes.

“Once a protected class is created, there are all kinds of potential legal ramifications,” Mr. Hoogendyk said. He added that he thought the bill could open the way for discrimination lawsuits based on characteristics such as gender identity.

Ms. Byrnes said the characteristics needed to be listed because it made enforcing the bill easier.

“If we don’t specifically enumerate some distinguishing characteristics then I believe it’s easier to dismiss some complaints,” Ms. Byrnes said.

Several amendments to the bills were offered by Republican members but were defeated. Several would have taken out the listed characteristics and put in that bullying for any reason was prohibited.

Committee Chair [Rep. Tim Melton](#) (D-Auburn Hills) said he was unhappy the amendments were offered without discussing them with the rest of the committee and others who were involved in creating the bills.

[Sen. Glenn Anderson](#) (D-Westland), who is introducing similar legislation in the Senate, said in a statement that the legislation would help children without requiring much spending. “As our schools wait for a resolution to our budget crisis and their resulting funding, we must continue to make a safe school environment a top priority,” Mr. Anderson said.

The committee also unanimously voted to report a resolution that urges the United States Congress to keep funding the Head Start program.

[Rep. Brenda Clack](#) (D-Flint), who introduced [HR 40](#), said the Head Start program meets the needs of all children and that it’s important to help children at a young age when they need it most.

Richard Lower, executive director of Michigan Head Start Association, Inc. said the program puts \$245 million into the state’s economy and helps more than 35,000 children around the state.

He said Head Start has not had a funding increase in several years and said they need to ask Congress to keep supporting the program and increase funding in fiscal year 2008.

K.P. Pelleran, state director of Fight Crime: Invest in Kids Michigan, said Head Start helps children succeed so they don’t turn to crime when they get older. “When children don’t get the right start in life, we’re all at risk,” Ms. Pelleran said.

MORNING SUN

Accused killer ruled fit for trial

By [SUSAN FIELD](#)

Clare Managing Editor

Thomas Babb is competent to stand trial for the shotgun slaying of his estranged wife outside the Morning Sun office, a judge ruled Tuesday.

Babb, of the Gaylord and Evart area, will face a preliminary hearing April 12 to determine if evidence is strong enough to order him to face trial, Isabella County Trial Judge William Rush ruled.

Babb is accused in the Jan. 9 murder of Mary Lynn Babb, 30, a Morning Sun advertising representative, in the newspaper's parking lot.

Rush's ruling came after Prosecutor Larry Burdick entered into evidence a report from the Center for Forensic Psychiatry in Ypsilanti, where Babb underwent competency and criminal responsibility evaluations in mid-February.

Richard Rickman, a licensed psychologist and consulting forensic examiner, indicated in his report that Babb, 37, "appeared capable of understanding the nature and object of the proceedings against him."

Rickman also concluded that Babb, who remains in the Isabella County Jail without bond, "demonstrated the ability to assist rationally in his defense," according to the evaluation report.

Babb sat quietly at defense attorney Jeffrey Clothier's side during the brief hearing Tuesday before bailiffs returned him to the jail.

While Babb's preliminary hearing was initially set for March 29 for a half day, Burdick expressed concern that proceedings could take longer and that he did not want to inconvenience witnesses.

Rush set aside the whole day April 12 for the preliminary hearing.

Mary Babb was pronounced dead at Central Michigan Community Hospital after being shot once in the chest while trapped in her upside-down sports utility vehicle in the Morning Sun parking lot.

Police allege that Babb rammed his estranged wife's vehicle with a full-size pickup truck, overturning it near the east entrance to the Commerce Center, where the Morning Sun is published.

Babb allegedly fired one shot through the driver's side window, breaking it, before shooting Mary Babb in the chest while she was trapped in the car.

Babb was arrested by state police near Evart less than four hours after Mary Babb's murder.

He is charged in Isabella County with felony murder and one count of open murder; both carry mandatory life sentences.

Babb is also charged locally with aggravated stalking, a five-year felony; felonious assault, a four-year felony; a felony firearm violation, a two-year felony; carrying a dangerous weapon with unlawful intent, a five-year felony; and felon in possession of a firearm.

At the time of Mary Babb's murder, her estranged husband was facing domestic violence,

criminal sexual conduct and felonious assault charges in Otsego County, according to court records.

Those charges stem from two alleged incidents involving Mary Babb at the estranged couple's former home in Hayes Township in August, according to court records.

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State's first torture trial on hold

Wednesday, March 21, 2007

By Barton Deiters

The Grand Rapids Press

GRAND RAPIDS -- Michigan's first domestic torture trial came to a sudden halt Tuesday as attorneys argued over how much of the alleged victim's past will be heard by a jury.

Lester Wakefield is accused of keeping his 43-year-old girlfriend locked in a Greenville trailer where over two days he is accused of threatening, abusing and debasing her.

The 44-year-old Ionia County resident is being tried on Michigan's year-old torture statute in the first case to make it in front of a jury. He faces life in prison if convicted and also is charged with kidnapping and several assault charges.

The hearing ended when Wakefield's attorney, William Davis, began questioning the accuser about her drug and alcohol use and Assistant Kent County Prosecutor James Benison objected.

With the jury sent away by Circuit Judge Paul Sullivan, Benison argued that line of questioning was irrelevant character assassination. Davis said it established her pattern of behavior and her general character -- including an arrest for domestic violence where she allegedly broke a picture frame over a man's head.

Sullivan said he would decide today on what the jury should hear.

The halt came after the prosecution and defense had laid out their cases and the accuser had taken the stand.

Wakefield spent most of his time in Kent County Circuit Court sobbing or whispering urgently to Davis, who in his opening statement said the jury would learn the couple's three-year relationship was marked with mutual abuse, alcoholism and abuse of prescription drugs.

He told the 10-man, four-woman jury that the first weekend of October when the alleged incident occurred was "a drunken weekend" and that the victim has overblown the nature of what happened.

"I suppose a delicate word for her might be 'drama queen,'" Davis said.

Benison said there will be no doubt that Wakefield abused his girlfriend, including breaking a bone in her face, urinating on her and threatening her with depraved violations.

When the accuser took the stand, Wakefield blubbered quietly, saying softly that she was his "baby" and "he loved her."

She told how the two got into an argument while waiting to buy Bob Seger concert tickets in Grand Rapids and the next morning Wakefield approached her and said "You didn't think I forgot about last night, did you?"

"I knew at that point that it was going to be a long day for me," she said under questioning by Benison. "I just knew I was in for a world of no good."

Benison played the 911 tape where state police were summoned to Wakefield's aunt's trailer.

Wakefield had allegedly taken the accuser there, and she was able to call for help on a cell phone.

Dr. Steven Johnson, an emergency room physician at Ionia Memorial Hospital, testified that the woman was dehydrated, the bone beneath her right eye was fractured and she had dried blood in her ears -- most likely from being struck in the head.

"She was distraught," Johnson said. "She was as afraid as anyone I've ever seen."

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Niles Daily Star

ONLINE EDITION

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Officials: Homeless population growing

By ANDY HAMILTON / Niles Daily Star
Wednesday, March 21, 2007 10:46 AM EDT

NILES - A January count did not register all homeless people in Berrien County.

But other signs, particularly in Benton Harbor, have officials with the Housing Resource Network saying the homeless situation in Berrien County is not improving. Alysia Babcock, executive director of Emergency Shelter and chair of the Housing Resource Network, said the home she oversees in Benton Harbor has been full for the last year, and added the number of people seeking shelter usually decreases when spring nears.

That is not the case this year, as people are sleeping on air mattresses on the floor, Babcock said.

"I've got dozens of people on a waiting list to get in the shelter. At this time of year this is unusual. I have people sleeping in cars waiting to get in here," Babcock said, adding some seeking shelter are two-parent families.

A homeless count was conducted Jan. 25 in conjunction with the first Project Homeless Connect, a "one-stop shop" location to access numerous community resources and services, and also where the condition of each homeless family or individual can be accessed.

A Project Homeless Connect will be held in Niles at Residential Services of Southwest Michigan, 104 S. Third St, on Thursday, April 26, from 10 a.m. to 3 p.m. Multiple county and community organizations will be on hand to distribute blankets and hygiene products and assess homeless families and individuals.

Project Homeless Connect is part of the 10-year plan to end homelessness in Berrien County, which was written by Housing Resource Network and was passed October 2006 by the county's board of commissioners. It includes conducting a housing needs survey as well as a homeless count every January for the entire county.

Only 65 percent of the county's homeless population was counted Jan. 25, Babcock said. Holly Pomranka, coordinator of the Housing Resource Network Continual Care program and administrator for Residential Services of Southwest Michigan in Niles, said cold temperatures probably caused many homeless in Berrien County to not show.

Babcock added, "And frankly some people just don't want you to know. We don't expect people to show up. That's why we go out to the soup kitchen and use the police." Babcock said the Department of Housing and Urban Development chooses January as the month to do the count. She added a more accurate count might be found during warmer months.

"We actually had law enforcement, sheriff's department going out on the streets," Babcock said. "They have a better idea of where folks are going to be."

According to a Berrien County Community Development press release, the total number of homeless defined Jan. 25 by the Department of Housing and Urban Development was 183 - 129 adults and 54 children. In addition, there were 64 individuals identified through service agencies as precariously housed.

Compared to the November 2005 count the Housing and Urban Development homeless population has increased by 1.1 percent. The homeless count in January 2006 showed there were 293 homeless people in Berrien County, with 59 of those individuals living on the streets.

"We got enough to show that the numbers are up," Pomranka said.

The Jan. 25 count was also the first homeless survey completed and processed using the Homeless Management Information System, which is a database to input information about homeless individuals in county programs and is used by the state to determine the homeless population. "The Michigan State Housing Development Authority has said people receiving money from us have to be on it," Babcock said.

Pomranka said Housing Resource Network will attempt to gather more information on homeless individuals and families in Berrien County during the Project Homeless Connect in Niles.

Volunteers are needed for the Niles Project Homeless Connect. Anyone interested or needing more information can contact Emergency Shelter Services at (269) 925-1131 or by email at ababcock@emergencyshester.net.



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Dr. Michael Brashears and Robert Sheehan: Mental health services continue despite cutbacks

Dr. Michael Brashears is director of adult mental health services of the Community Mental Health Authority of Clinton, Eaton and Ingham Counties.

Robert Sheehan is executive director of CMH of Clinton, Eaton and Ingham Counties.

Over the last several weeks, a number of mental health-related stories have appeared in the press. These stories underscore the impact of the reality of the funding of this state's public mental health system.

Seventy-five percent of the funding received by the Community Mental Health Authority of Clinton, Eaton, and Ingham Counties (CMH), the major partner in this community's public mental health system, are Medicaid dollars and must be reserved for services Medicaid recipients.

This leaves a large segment of the non-Medicaid poor and working poor uncovered.

Additionally, since 1997, the adult mental health part of the tri-county CMH system has had to make more than \$2.8 million in cuts for services to adults, while simultaneously experiencing a burgeoning demand for very intense, but short-term, care - often including hospitalization.

This greatly increased growth in acute mental health needs is fueled by a number of causes in addition to cutbacks in mental health resources. They include: insufficient funding for substance abuse treatment; lack of affordable housing; lack of jobs; recently enacted lifetime prohibitions against the employment of persons with criminal records in a large number of employment sectors; and the elimination of chronic substance abuse as a cause for receipt of SSI.

In spite of the lack of funds, CMH, the major partner in this community's public mental health system:

- Provides face-to-face crisis intervention, assessment, and intake services 24 hours per day/7 day per week to more than 2,800 adults annually.
- Provides, annually, long term mental health care to more than 3,200 adults with serious and persistent mental illness, 500 of whom are new to the CMH system each year.
- Annually serves more than 2,100 persons who are on probation from jail, paroled from prison, in jail, in prison, or diverted from arrest or booking,
- Provides housing assistance and support to more than 1,500 adults with serious and persistent mental illness and long term residential care and treatment for around 200 more.
- Takes mental health services to the homeless by going to the homeless shelters in the greater Lansing area. Annually CMH serves more than 250 homeless persons through these outreach efforts

- Is equipping its staff with the ability to better serve persons with both mental illness and a substance use disorder by training them on a nationally-renowned co-occurring disorder approach
- Provides mental health services for hundreds of persons living in supportive housing units (apartments and ancillary services provided to persons with mental illness), jointly with a number of partners including: the Greater Lansing Housing Coalition, Justice in Mental Health Organization, Advent House and the Lansing Housing Commission.

So, while we struggle, as a society, to find the will and funding to meet the needs of a growing number of low-income citizens, it is key that we hold a clear picture of what is being done, by the public mental health system, to meet the needs of this group of community members.

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Governor, lawmakers struggle with state's huge budget puzzle

March 21, 2007

BY CHRIS CHRISTOFF

FREE PRESS LANSING BUREAU CHIEF

LANSING -- The stakes are high and the choices distasteful as Gov. Jennifer Granholm and leaders from the Legislature begin talks this week to resolve budget crises -- both immediate and on the near horizon.

The immediate problem is a \$940-million shortfall for this fiscal year, which ends Sept. 30.

Unless Granholm and lawmakers can plug that hole in the next few weeks, the state would temporarily run out of money to pay bills, state Treasurer Robert Kleine said.

Plugging the hole would require new taxes or deep cuts in services -- or, more likely, a combination of the two.

It doesn't get any better Oct. 1 with the start of the new budget year in which an additional \$2.1-billion deficit is projected.

There aren't many pieces of the budget that could be cut enough to reach the savings needed or that are politically palatable to Democrats or Republicans, because constituents would squawk.

State prisons and aid to cities and townships, universities, medical care for poor, disabled or elderly people and public schools are the biggest targets for cuts because they eat up the most money.

While Granholm's proposal for a handful of tax increases appears to have flagging support in the Legislature, some tax hike is needed, said Bill Rustem, president of Public Sector Consultants of Lansing.

"It's a three-legged stool you need: cuts, revenue and reforms," Rustem said.

Almost half of the projected deficit in the fiscal year that begins Oct. 1 results from the expiration of the Single Business Tax on Dec. 31.

By then, a new tax to replace the SBT is likely. Granholm and Senate Republicans have proposed different versions.

On Tuesday, Granholm, Senate Majority Leader Mike Bishop, R-Rochester, and other leading lawmakers emerged from five hours behind closed doors to say they had made progress but offered no details.

Erasing a chronic budget deficit is not just a matter of accounting. The politics of ideas and fear will shape the deal Granholm and the Legislature stamp: ideas about the role of government; fear over losing the next election.

Cuts ignite public outcry

Republicans claim they can resolve this year's \$940-million deficit with budget cuts alone. But to do that, their logical choices are to empty some prisons, slash education funding so much it ignites public revolt, slash aid to cities and risk police layoffs or slash health care for low-income children or nursing home payments for the elderly.

Most observers doubt they have the political will.

Granholtz says she'll oppose cuts in health care, mainly Medicaid, which consumes almost one-quarter of the state's \$8.2-billion general fund.

She already has set in motion cuts to State Police and state prisons, and both actions have ignited public outcry.

The state School Aid Fund this year is \$377 million in the red, and unless that hole is filled, schools face cuts as deep as \$220 per pupil -- enough to force teacher layoffs in many school districts.

Granholtz has vowed not to cut school aid. But without a budget deal by April 1, "You're hanging schools out to dry," said Justin King, executive director of the Michigan Association of School Boards.

That's because schools' fiscal year ends June 30, and they're counting on state money this spring to balance their budgets.

Death and taxes

Granholtz wants to impose a new, 2% excise tax on many services and entertainment. No way, say Republicans, and they're backed by polls showing little public support for the tax.

House Democrats have the most to risk in backing an unpopular tax. They captured control of the House in 2006 for the first time in eight years and hold a 58-52 majority.

"House Democrats not only need all of their 58 votes for Granholtz's tax plan, they need 15 to 18 Republicans to join them, said Ed Sarpolus, of the Lansing polling firm EPIC/MRA.

That would help inoculate House Democrats who are deemed vulnerable for re-election in 2008.

In the Senate, where Republicans hold a 21-17 majority, passage of a significant general tax increase could be more difficult. But they'd have to offer an alternative of large-scale budget cuts, which they've been unwilling to reveal.

Bag of tricks

Budget deals almost always include accounting gimmicks to help balance the books. Granholtz has proposed recalculating how much the state must pay into employee retirement accounts.

The proposed savings by 2008: \$278 million.

Another \$69 million would be "saved" this fiscal year by moving a payment to universities from August to October.

History shows that in a pinch there's always an accounting trick or two on a shelf somewhere.

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Granholm, legislative leaders begin budget talks

Midday update

By Kathy Barks Hoffman
Associated Press

Gov. Jennifer Granholm and House and Senate leaders started their negotiations Tuesday over how to fill a \$900 million hole in the state budget.

The Democratic governor, Democratic House Speaker Andy Dillon of Wayne County's Redford Township and Republican Senate Majority Leader Mike Bishop of Rochester spent most of the day in the governor's ceremonial office at the state Capitol.

Shortly before 4 p.m., the trio emerged to tell reporters that negotiations are continuing. But they declined to give any specifics.

"We're making progress," the governor said. "We have agreed to negotiate in confidence. And we are going to make sure we achieve the results of balancing the budget and moving the state forward. And we're not going to divulge any of the agreements that we've reached so far, and we'll continue to meet until we have an agreement."

None of the three answered any further questions before disappearing back into the governor's office.

Talks were expected to continue Wednesday, although no specific time had been set by late Tuesday afternoon.

It was the first time the three sat down together to hash out their differences over how much of the gap should be handled through spending cuts and whether new tax revenues are needed.

Given the posturing, angry words, pointed letters and dueling philosophies that have marked the process so far, it would be easy to think no deal is possible.

As he headed into the meeting at 11 a.m., Bishop said the Republican-controlled Senate has no intention of bridging the gap with a tax increase, pledging to fill it with "cuts and reforms alone."

"We have got to dramatically downsize government, and we have to do it today," he said.

K-12 schools, local governments, universities and other entities that get state dollars are worried they could see harsh effects on their existing budgets. Fiscal years for schools and many municipalities end less than four months from now.

Bishop has insisted that the budget talks center only on resolving the current year's budget crisis

while leaving until later the budget for the fiscal year that starts Oct. 1. Estimates show at least a \$1 billion shortfall in the year ahead.

But Granholm and Dillon say it would be better to deal with the budget shortfalls for both years at the same time, since the state won't be able to grow out of its difficulties.

"There's this interim period where we can't fund the budget" through spending cuts and reforms alone, Dillon said before entering the meeting. Although he wants to start by agreeing on areas to be cut and on reforms that can make government work less expensively, he said some kind of tax increase may be needed to solve the two years of budget problems.

"Once you find out what's acceptable, then you know how much you need" to raise if additional revenue is needed, he said. "If I have to make the tough decisions, I'd rather show the legislators and the public we're ready" to tackle both years.

Granholm has said she wants to issue by Thursday a new executive order that would include some spending cuts and other changes to restore the state's solvency. Republicans rejected the executive order she put out last month because her overall proposal relies on a new 2 percent tax on services.

Dillon said he thinks the governor might be willing to delay putting out the executive order if it looks like the three are making progress on a plan all could accept. He wants to have the framework for dealing with the budget shortfall in place by April 1.

Granholm has said her proposed tax on services such as haircuts, legal work and cable TV needs to be passed by April 1 and in place by June 1 if the state is to avoid deep cuts in government services this budget year, which ends Sept. 30.

Republicans haven't made their spending cuts public. But a spokesman for Bishop has said that, besides the \$167 million in cuts proposed in Granholm's first executive order, Republicans would slice another \$700 million. The state also would save \$100 million through accounting changes.

Both Dillon and Bishop said Tuesday that there's no time to waste.

"Everyone knows that time is of the essence," Dillon said. "Every day we wait, the problem grows."

Agreed Bishop: "We need to get this job done yesterday."